

REVIEWED*By Larisha Davis at 11:20 am, Jun 20, 2007*

CLOSED, PaperDocuments

**U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:04-cv-00960-SLR
Internal Use Only**

J-Squared Inc., et al v. Motorola Inc.
Assigned to: Honorable Sue L. Robinson
Demand: \$0
Related Case: [1:06-cv-00114-SLR](#)
Cause: 28:1332 Diversity-Breach of Contract

Date Filed: 08/20/2004
Date Terminated: 10/27/2006
Jury Demand: Plaintiff
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

Plaintiff

J-Squared Technologies Inc.
a Canadian corporation

represented by **David A. Felice**
Cozen O'Connor
Chase Manhattan Centre
1201 North Market St., Suite 1400
Wilmington, DE 19801
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sean J. Bellew
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Chase Manhattan Centre
1201 North Market St., Suite 1400
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Email: sbellew@cozen.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

**J-Squared Technologies (Oregon)
Inc.**
an Oregon corporation

represented by **David A. Felice**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sean J. Bellew
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Motorola Inc.
a Delaware corporation

represented by **William W. Bowser**
 Young Conaway Stargatt & Taylor,
 LLP
 The Brandywine Building
 1000 West Street, 17th Floor
 P.O. Box 391
 Wilmington, DE 19899-0391
 (302) 571-6601
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Emily S. Cates
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| Date Filed | # | Docket Text |
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| 08/20/2004 | 1 | COMPLAINT filed. Magistrate Consent Notice to Pltf. FILING FEE \$ 150.00 RECEIPT # 136720 (els) (Entered: 08/23/2004) |
| 08/20/2004 | | DEMAND for jury trial by J-Squared Inc., J-Squared (Oregon) (els) (Entered: 08/23/2004) |
| 08/20/2004 | | SUMMONS(ES) issued for Motorola Inc. (els) (Entered: 08/23/2004) |
| 08/23/2004 | 2 | RETURN OF SERVICE executed as to Motorola Inc. 8/20/04 Answer due on 9/9/04 for Motorola Inc. (dab) (Entered: 08/23/2004) |
| 08/31/2004 | 3 | Disclosure Statement pursuant to Rule 7.1 by J-Squared Inc., J-Squared (Oregon) (dab) (Entered: 08/31/2004) |
| 09/01/2004 | 4 | CASE assigned to Judge Sue L. Robinson . Notice to all parties. (rjb) (Entered: 09/01/2004) |
| 09/10/2004 | 5 | NOTICE of attorney appearance for Motorola Inc. by William W. Bowser (fmt) (Entered: 09/10/2004) |
| 09/10/2004 | 6 | MOTION by Motorola Inc. with Proposed Order for Richard A. Halloran, Esquire to Appear Pro Hac Vice (fmt) (Entered: 09/10/2004) |
| 09/10/2004 | 7 | MOTION by Motorola Inc. with Proposed Order for Randy S. Papetti, Esquire to Appear Pro Hac Vice (fmt) (Entered: 09/10/2004) |

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| | | 01/18/2006) |
| 01/18/2006 | 70 | NOTICE to Take Deposition of Steve Bloome on Thursday, February 2, 2006, 2 p.m., by Motorola Inc..(Bowser, William) (Entered: 01/18/2006) |
| 01/18/2006 | 71 | NOTICE to Take Deposition of Jeffrey Gibson on Tuesday, January 31, 2006, 9 a.m., by Motorola Inc..(Bowser, William) (Entered: 01/18/2006) |
| 01/19/2006 | 72 | NOTICE OF SERVICE of JST's Second Set of Interrogatories Directed to Defendant, JSO's Second Set of Interrogatories Directed to Defendant; Plaintiffs' First Request for Admissions Directed to Plaintiff, and JSO's First Set of Requests for Production by J-Squared Technologies Inc., J-Squared Technologies (Oregon) Inc..(Felice, David) (Entered: 01/19/2006) |
| 01/30/2006 | 73 | Joint STIPULATION TO EXTEND TIME Discovery Cutoff and Expert Disclosure Deadlines to April 3, 2006, for discovery cutoff, and March 1, 2006, for expert disclosure deadline, and April 3, 2006, for rebuttal expert disclosure deadline - filed by Motorola Inc.. (Bowser, William) (Entered: 01/30/2006) |
| 02/01/2006 | 74 | SO ORDERED, re 73 Joint STIPULATION TO EXTEND TIME Discovery Cutoff and Expert Disclosure Deadlines to April 3, 2006, for discovery cutoff, and March 1, 2006, for expert disclosure deadline, and April 3, 2006, for rebuttal expert disclosure deadline filed by Motorola Inc., ReSetting Deadlines: Discovery due by 4/3/2006. Signed by Judge Sue L. Robinson on 2/1/06. (rld,) (Entered: 02/01/2006) |
| 02/03/2006 | 75 | NOTICE OF SERVICE of Subpoena - Avnet, Inc. by J-Squared Technologies Inc., J-Squared Technologies (Oregon) Inc.. (Attachments: # 1 Exhibit A)(Felice, David) (Entered: 02/03/2006) |
| 02/06/2006 | 76 | SUBPOENA Returned Executed as to Arrow Electronics, Inc. on January 31, 2005 (Attachments: # 1 Exhibit A - Subpoena and Affidavit of Service - Arrow Electronics, Inc.)(Felice, David) (Entered: 02/06/2006) |
| 02/22/2006 | 77 | SEALED MOTION to Compel <i>Motorola to Respond to Interrogatories and Produce Documents</i> - filed by J-Squared Technologies Inc., J-Squared Technologies (Oregon) Inc.. (Felice, David) (Entered: 02/22/2006) |
| 02/27/2006 | 78 | NOTICE OF SERVICE of Defendant's Response to Plaintiff J-Squared Technologies Inc.'s Second Set of Interrogatories (Nos. 21-25) by Motorola Inc..(Bowser, William) (Entered: 02/27/2006) |
| 02/27/2006 | 79 | NOTICE OF SERVICE of Defendant's Response to Plaintiff J-Squared Technologies (Oregon), Inc.'s Second Set of Interrogatories (Nos. 3-19 [sic]) by Motorola Inc..(Bowser, William) (Entered: 02/27/2006) |
| 02/27/2006 | 80 | NOTICE OF SERVICE of Defendant's Response to Plaintiff J-Squared |

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| | | March 29, 2006 (Attachments: # 1 Exhibit A - Executed Subpoena) (Felice, David) (Entered: 04/21/2006) |
| 04/24/2006 | • | SO ORDERED, re 115 Joint MOTION for Extension of Time to <i>submit Motorola's Expert Report</i> filed by Motorola Inc. until 4/27/06. . Signed by Judge Sue L. Robinson on 4/24/06. (rld,) (Entered: 04/24/2006) |
| 04/24/2006 | • 117 | MOTION to Consolidate Cases with <i>GL Williams v. Motorola, C.A. No. 06-114-SLR</i> - filed by J-Squared Technologies Inc., J-Squared Technologies (Oregon) Inc.. (Felice, David) (Entered: 04/24/2006) |
| 04/24/2006 | • 118 | MOTION to Amend/Correct [1] Complaint - filed by J-Squared Technologies Inc., J-Squared Technologies (Oregon) Inc.. (Attachments: # 1 Exhibit 1 - Amended Complaint# 2 Exhibit 2-5# 3 Exhibit 6-10) (Felice, David) (Entered: 04/24/2006) |
| 04/25/2006 | • 119 | MOTION for Protective Order <i>Precluding Certain Discovery from Third-Party GE Fanuc Automation, Inc.</i> - filed by J-Squared Technologies Inc., J-Squared Technologies (Oregon) Inc.. (Attachments: # 1 Text of Proposed Order Proposed Order# 2 Certification Pursuant to Rule 7.1.1# 3 Certification Pursuant to Rule 26(c)# 4 Exhibit 1# 5 Exhibit 2)(Felice, David) (Entered: 04/25/2006) |
| 05/01/2006 | • 120 | MOTION for Summary Judgment - filed by Motorola Inc.. (Bowser, William) (Entered: 05/01/2006) |
| 05/01/2006 | • 121 | OPENING BRIEF in Support re 120 MOTION for Summary Judgment filed by Motorola Inc.. Answering Brief/Response due date per Local Rules is 5/15/2006. (Bowser, William) (Entered: 05/01/2006) |
| 05/01/2006 | • 122 | SEALED APPENDIX re 121 Opening Brief in Support by Motorola Inc.. (Bowser, William) (Entered: 05/01/2006) |
| 05/02/2006 | • 123 | NOTICE to Take Deposition of Wendy Vittori on Monday, May 8, 2006 at 11:00 a.m. by J-Squared Technologies (Oregon) Inc.. (Attachments: # 1 Certificate of Service)(Bellew, Sean) (Entered: 05/02/2006) |
| 05/02/2006 | • 124 | NOTICE OF SERVICE of Plaintiff J-Squared Technologies (Oregon), Inc.'s Amended Responses to Defendant Motorola, Inc.'s Second Set of Requests for Admission by J-Squared Technologies Inc., J-Squared Technologies (Oregon) Inc..(Felice, David) (Entered: 05/02/2006) |
| 05/02/2006 | • 125 | NOTICE OF SERVICE of Plaintiff J-Squared Technologies, Inc.'s Responses to Defendant Motorola, Inc.'s Second Set of Requests for Admission by J-Squared Technologies Inc., J-Squared Technologies (Oregon) Inc..(Felice, David) (Entered: 05/02/2006) |
| 05/04/2006 | • 126 | REDACTED VERSION of 122 Appendix by Motorola Inc.. (Attachments: # 1 Appendix Redacted# 2 Appendix Redacted# 3 Appendix Redacted# 4 Appendix Redacted# 5 Appendix Redacted# 6 Appendix Redacted# 7 Appendix Redacted# 8 Appendix Redacted) (Bowser, William) Modified on 5/8/2006 (fmt,). (Entered: 05/04/2006) |
| 05/05/2006 | • 127 | AMENDED DOCUMENT by Motorola Inc.. Amendment to 126 |

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| | | Exhibit T to Motorola's Response to Plaintiffs' Motion for Protective Order# 21 Exhibit U to Motorola's Response to Plaintiffs' Motion for Protective Order# 22 Exhibit V to Motorola's Response to Plaintiffs' Motion for Protective Order# 23 Exhibit W to Motorola's Response to Plaintiffs' Motion for Protective Order)(Bowser, William) Modified on 5/15/2006 (fmt,). (Entered: 05/11/2006) |
| 05/11/2006 |  130 | RESPONSE to Motion re 117 MOTION to Consolidate Cases with <i>GL Williams v. Motorola, C.A. No. 06-114-SLR</i> filed by Motorola Inc.. (Attachments: # 1 Exhibit A to Motorola's Response to Plaintiffs' Motion to Consolidate# 2 Exhibit B to Motorola's Response to Plaintiffs' Motion to Consolidate)(Bowser, William) (Entered: 05/11/2006) |
| 05/11/2006 |  131 | RESPONSE to Motion re 118 MOTION to Amend/Correct [1] Complaint filed by Motorola Inc.. (Attachments: # 1 Exhibit A to Motorola's Response to Plaintiffs' Motion to Amend# 2 Exhibit B to Motorola's Response to Plaintiffs' Motion to Amend# 3 Exhibit C to Motorola's Response to Plaintiffs' Motion to Amend# 4 Exhibit D to Motorola's Response to Plaintiffs' Motion to Amend# 5 Exhibit E to Motorola's Response to Plaintiffs' Motion to Amend# 6 Exhibit F to Motorola's Response to Plaintiffs' Motion to Amend# 7 Exhibit G to Motorola's Response to Plaintiffs' Motion to Amend# 8 Exhibit H to Motorola's Response to Plaintiffs' Motion to Amend# 9 Exhibit I to Motorola's Response to Plaintiffs' Motion to Amend# 10 Exhibit J to Motorola's Response to Plaintiffs' Motion to Amend# 11 Exhibit K to Motorola's Response to Plaintiffs' Motion to Amend# 12 Exhibit L to Motorola's Response to Plaintiffs' Motion to Amend# 13 Exhibit M to Motorola's Response to Plaintiffs' Motion to Amend (Redacted)# 14 Exhibit N to Motorola's Response to Plaintiffs' Motion to Amend (Redacted)# 15 Exhibit O to Motorola's Response to Plaintiffs' Motion to Amend# 16 Exhibit P to Motorola's Response to Plaintiffs' Motion to Amend# 17 Exhibit Q to Motorola's Response to Plaintiffs' Motion to Amend# 18 Exhibit R to Motorola's Response to Plaintiffs' Motion to Amend)(Bowser, William) (Entered: 05/11/2006) |
| 05/11/2006 |  132 | SEALED EXHIBITS A, C, D, F, G, H, J, K, L AND P to 129 Response to Motion by Motorola Inc. (fmt,) (Entered: 05/15/2006) |
| 05/11/2006 |  133 | SEALED EXHIBITS I, M, N, Q, and R to 131 Response to Motion by Motorola Inc.. (fmt,) (Entered: 05/15/2006) |
| 05/15/2006 |  134 | SUBPOENA Returned Executed as to Paul W. Pocalyko, CPA, Parente Randolph on 05/15/06 (Bowser, William) Modified on 5/15/2006 (fmt,). (Entered: 05/15/2006) |
| 05/17/2006 |  135 | Supplemental RESPONSE to Motion re 118 MOTION to Amend/Correct [1] Complaint filed by Motorola Inc.. (Bowser, William) (Entered: 05/17/2006) |
| 05/22/2006 |  136 | First MOTION to Strike <i>Portions of Plaintiffs' Expert Report</i> - filed by Motorola Inc.. (Attachments: # 1 Certificate of Compliance)(Bowser, William) Modified on 5/22/2006 (fmt,). (Entered: 05/22/2006) |

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| 05/22/2006 | ✖ 137 | SEALED EXHIBITS re 136 First MOTION to Strike <i>Portions of Plaintiffs' Expert Report</i> by Motorola Inc.. (fmt,) (Entered: 05/22/2006) |
| 05/22/2006 | ● | CORRECTING ENTRY: the Sealed Exhibits attached to D.I. 136 have been deleted from the entry and docketed as D.I. 137 (fmt,) (Entered: 05/22/2006) |
| 05/22/2006 | ● 138 | REDACTED VERSION of 137 Exhibit to a Document <i>Motorola's Exhibits in Support of Its Motion to Strike</i> by Motorola Inc.. (Attachments: # 1 Exhibit s A through E# 2 Exhibit F# 3 Exhibit G# 4 Exhibit s H through M# 5 Exhibit N)(Bowser, William) (Entered: 05/22/2006) |
| 05/22/2006 | ● 139 | REPLY to Response to Motion re 119 MOTION for Protective Order <i>Precluding CertainDiscovery from Third-Party GE Fanuc Automation, Inc.</i> filed by J-Squared Technologies Inc., J-Squared Technologies (Oregon) Inc.. (Felice, David) (Entered: 05/22/2006) |
| 05/22/2006 | ● 140 | REPLY to Response to Motion re 117 MOTION to Consolidate Cases with <i>GL Williams v. Motorola, C.A. No. 06-114-SLR</i> filed by J-Squared Technologies Inc., J-Squared Technologies (Oregon) Inc.. (Felice, David) (Entered: 05/22/2006) |
| 05/22/2006 | ● 141 | REPLY to Response to Motion re 118 MOTION to Amend/Correct [1] Complaint filed by J-Squared Technologies Inc., J-Squared Technologies (Oregon) Inc.. (Felice, David) (Entered: 05/22/2006) |
| 05/24/2006 | ● 142 | REQUEST for Oral Argument by Motorola Inc. re 120 MOTION for Summary Judgment, 118 MOTION to Amend/Correct [1] Complaint, 119 MOTION for Protective Order <i>Precluding CertainDiscovery from Third-Party GE Fanuc Automation, Inc.</i> , 117 MOTION to Consolidate Cases with <i>GL Williams v. Motorola, C.A. No. 06-114-SLR</i> . (Bowser, William) (Entered: 05/24/2006) |
| 05/30/2006 | ● 143 | Second STIPULATION TO EXTEND TIME Answering and Reply Briefs on Motion for Summary Judgment to June 6 and June 22, 2006 - filed by J-Squared Technologies Inc., J-Squared Technologies (Oregon) Inc.. (Felice, David) (Entered: 05/30/2006) |
| 05/30/2006 | ● | SO ORDERED, re 143 Second STIPULATION TO EXTEND TIME Answering and Reply Briefs on Motion for Summary Judgment to June 6 and June 22, 2006 filed by J-Squared Technologies Inc., J-Squared Technologies (Oregon) Inc. Set Briefing Schedule: Answering Brief due 6/6/2006. Reply Brief due 6/22/2006. Signed by Judge Sue L. Robinson on 5/30/06. (rls,) (Entered: 05/30/2006) |
| 06/06/2006 | ● 144 | Third STIPULATION TO EXTEND TIME Deadline for Answering Brief to June 8, 2006 - filed by J-Squared Technologies Inc., J-Squared Technologies (Oregon) Inc.. (Felice, David) (Entered: 06/06/2006) |
| 06/07/2006 | ● | SO ORDERED, re 144 Third STIPULATION TO EXTEND TIME Deadline for Answering Brief to June 8, 2006 filed by J-Squared Technologies Inc., J-Squared Technologies (Oregon) Inc., . Signed by |

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| | | Judge Sue L. Robinson on 6/7/06. (fmt,) (Entered: 06/07/2006) |
| 06/08/2006 | ● 145 | ANSWERING BRIEF in Opposition re 120 MOTION for Summary Judgment filed by J-Squared Technologies Inc., J-Squared Technologies (Oregon) Inc.. Reply Brief due date per Local Rules is 6/15/2006. (Felice, David) (Entered: 06/08/2006) |
| 06/08/2006 | ● 146 X | SEALED EXHIBIT re 145 Answering Brief in Opposition by J-Squared Technologies Inc., J-Squared Technologies (Oregon) Inc.. (Felice, David) (Entered: 06/08/2006) |
| 06/09/2006 | | (Court only) ***Deadlines terminated. (rld,) (Entered: 06/09/2006) |
| 06/09/2006 | ● 147 | Discovery Dispute Resolution between counsel and Chief Judge Robinson dated June 7, 2006. (rld,) (Entered: 06/09/2006) |
| 06/16/2006 | ● 148 | NOTICE of Appearance by Sean J. Bellew on behalf of all plaintiffs (Attachments: # 1 Certificate of Service)(Bellew, Sean) (Entered: 06/16/2006) |
| 06/16/2006 | | (Court only) ***Attorney Sean J. Bellew for J-Squared Technologies Inc. and J-Squared Technologies (Oregon) Inc. added. (fmt,) (Entered: 06/16/2006) |
| 06/20/2006 | ● 149 | REDACTED VERSION of 146 Exhibit to a Document / <i>Public Version - Exhibits to Plaintiffs' Answering Brief in Opposition to Defendant's Motion for Summary Judgment</i> by J-Squared Technologies Inc., J-Squared Technologies (Oregon) Inc.. (Felice, David) (Entered: 06/20/2006) |
| 06/22/2006 | ● 150 | Joint STIPULATION TO EXTEND TIME for Filing of Defendant's Reply Brief in Support of Its Motion for Summary Judgment to June 29, 2006 - filed by Motorola Inc.. (Bowser, William) (Entered: 06/22/2006) |
| 06/22/2006 | ● | SO ORDERED, re 150 Joint STIPULATION TO EXTEND TIME for Filing of Defendant's Reply Brief in Support of Its Motion for Summary Judgment to June 29, 2006 filed by Motorola Inc., Set Briefing Schedule: Reply Brief due 6/29/2006. Signed by Judge Sue L. Robinson on 6/22/06. (rld,) (Entered: 06/22/2006) |
| 06/23/2006 | ● 151 | Order Setting Teleconference: Telephone Conference set for 6/29/2006 11:00 AM before Honorable Mary Pat Thyng. Signed by Judge Mary Pat Thyng on 6/23/2006. (cab,) (Entered: 06/23/2006) |
| 06/29/2006 | ● 152 | REPLY BRIEF re 120 MOTION for Summary Judgment filed by Motorola Inc.. (Bowser, William) (Entered: 06/29/2006) |
| 06/29/2006 | ● 153 | SEALED APPENDIX re 152 Reply Brief by Motorola Inc.. (Bowser, William) (Entered: 06/29/2006) |
| 06/30/2006 | ● 154 | Joint STIPULATION TO EXTEND TIME Plaintiffs' Answering Brief and Defendant's Reply Brief to Answering Brief: June 30, 2006; Reply Brief: July 14, 2006 - filed by Motorola Inc.. (Bowser, William) (Entered: 06/30/2006) |